

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD J. POTTER,

Plaintiff,

-against-

PORT JERVIS POLICE DEPARTMENT;
ANDREW HANIUK CHRISTOPHER
MEHEDIN,

Defendants.

1:20-CV-7209 (LLS)

CIVIL JUDGMENT

Pursuant to the order issued December 14, 2020, dismissing this action,

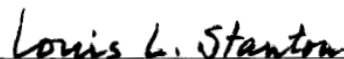
IT IS ORDERED, ADJUDGED AND DECREED that this action is dismissed. The Court dismisses Plaintiff's claims against the Port Jervis Police Department for failure to state a claim on which relief may be granted, with prejudice, under the doctrine of claim preclusion. 28 U.S.C. § 1915(e)(2)(B)(ii). The Court dismisses Plaintiff's claims against Haniuk and Mehedin for failure to state a claim, under *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994), without prejudice to his asserting those claims again *only* if his conviction is overturned or otherwise invalidated.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

SO ORDERED.

Dated: December 14, 2020
New York, New York



Louis L. Stanton
U.S.D.J.